

**GUIDELINES FOR EMERGENCY REPAIR PROGRAM  
LAKE COUNTY COMMUNITY ECONOMIC DEVELOPMENT  
DEPARTMENT**

There are many very low income owners of single residences in Lake County who do not have the financial capacity to do emergency repairs on their buildings as occasions may arise from time to time.

This program is designed to help these owners with grants to pay for necessary repairs not exceeding \$10,000 total cost.

Since money is very limited on this program, and in order to be sure that HUD guidelines for use of CDBG funds are satisfied, the following criteria is necessary and must be adhered to:

**I. ELIGIBILITY - APPLICANT**

To be eligible for assistance an applicant must:

- A. Be the legal owner, mortgagor, or contract purchaser of a single family residence located in any area of Lake County other than East Chicago, Gary, or Hammond.
  - 1. Owner must occupy the residence where the emergency arises.
- B. Have a very low gross income as per the prevailing HUD guidelines. Income limits are fifty percent (50%) of area median income.

**II. ELIGIBILITY - DWELLING**

- A. Damage must have occurred within the last sixty (60) days. The sixty (60) day limit may be extended to one hundred and twenty days (120) days by approval of the Executive Director on a case by case basis.
  - 1. Damage must be of an emergency nature which is defined as potentially injurious to the applicant's or general public's health, welfare and/or safety.
  - 2. The damage will generally fall into one of the following categories: damaged plumbing, damaged heating, damaged roofing, structural damage, electric damage, window damage, damaged septic system, sudden well failure and other damages caused by acts of God.

- a. Neglect of any system that causes that system to fail will make the system ineligible for repair under this program. Ineligible examples are:
  - (1) Roof has been leaking because of deterioration and has created interior damage.
  - (2) Water is coming into basement or backing up and causing toilets to fail because sewers need cleaning or septic system has not been regularly pumped out and fingers have not been cleaned.
  - (3) Well is failing because pump is old and is not working properly.
- B. Cost of repairs will not exceed \$10,000.
  - 1. In the event that repairs do not total \$10,000, the applicant may apply for further emergency repairs at another time so long as total costs of the second project plus total costs of the first project do not exceed a grand total of \$10,000.

#### **CRITERIA FOR APPLICATION**

- A. Owner must have exhausted all conventional sources of assistance to finance the emergency repair.
  - 1. A partial list of such sources includes: Insurance, Banks, Credit Unions, Finance Companies, Social Service Agencies, and other government agencies such as Trustee's office, etc...
- B. Owner will come to LCCEDD office to complete application or call, LCCEDD office. In the event of a call, LCCEDD will take as much information as possible on the phone, and if the application appears to be eligible, the inspector will take the application to the applicant's home to be completed if necessary due to illness or physical impairment.
- C. Insurance coverage, income and home ownership will be documented with photostatic copies of documentation. In the event that the homeowner cannot arrange for the photostats, such procedure will be handled by the LCCEDD.

## PROCESSING

- A. The L.C.C.E.D.D. will verify all information presented on the application, often by phone in order to service the emergency as quickly as possible. The repair problem will be inspected when the problem is deemed to be of an emergency nature. That inspection will help determine if the problem is an actual emergency as outlined previously.
1. In the event that the inspector feels the problem is not an emergency, the Executive Director or his appointee will be requested to review the decision.
  2. In all instances the inspector will file a full report to the Executive Director. The Executive Director will make the final decision on all approvals or disapprovals.
- B. In the event that the project is eligible, the inspector will work up a cost estimate and the first contractor, by numerical sequence, will be called to inspect the job and make an estimate. If the estimate is in order the contractor will be given the order to proceed with the repair.

## CONTRACTOR LISTS

- A. Lists of contractors will be developed by advertisements in the Legal Notices section of area newspapers soliciting contractors and trades people who are interested in performing rehabilitation work for this program. Special efforts to solicit women and minority contractors will be made.
1. Separate lists will be maintained for each trade category such as plumbers, electricians, roofers, carpenters, etc... A separate list will be kept for General Contractors only.
  2. Contractors will be listed in numerical order determined by the time and date that Contractor applications are completed and received by L.C.C.E.D.D.
- B. Selection of Contractor:

Each Contractor shall be awarded jobs in numerical succession as explained in these guidelines:

1. Unless a listed Contractor is already involved in the job and the Executive Director of L.C.C.E.D.D. feels that said Contractor should continue with it.

2. The Executive Director of L.C.C.E.D.D. at his discretion may also designate another Contractor, out of numerical order, when he feels that another Contractor, for various reasons, can do the job more expeditiously.

3. Examples:

a. The Contractor is located in the immediate vicinity of the home and can give the problem immediate attention.

b. The Contractor has more expertise in a specific problem and can do a better job.

c. Etc .....

C. Contractors will be chosen under Item 11, Method D, Rule 2, of Attachment O, Circular A-102 (Non-competitive Negotiation).

1. After Contractors lists are completed, Contractors will be chosen in numerical order of listing for each consecutive job as applications are approved. After a Contractor does a job, his name will drop to the bottom of the list and all other Contractors on the list will move up one in numerical sequence.

2. A Contractor who fails to perform in accordance with the contract or is not able to give a quote on three (3) consecutive occasions will be eliminated from the participating Contractors list.

### CONTRACTOR ELIGIBILITY

A. Contractor must file application with documented proof of:

1. Financial responsibility.

2. Adequate liability insurance.

3. Workmen's compensation insurance.

4. State license. (If required)

5. County license.

6. Capacity to get Local license where necessary.

7. Affirmative Action Agreement.
  - B. Contractor must submit Non-Collusive affidavit on each job done.
  - C. All Contractors regardless of age, gender, color, creed, familial status, sex and national origin will be deemed to be eligible for this program if they meet all required criteria.
  - D. Minority and Women Contractors are encouraged to apply for placement on our lists.
    1. This is to be defined in our newspapers ads and if necessary by contacting minority officials personally and asking them to recommend applicants.
  - E. Every job work-up will include the lead paint clause (42 U.S.C. 4821-4846) and implementing regulations at C.F.R. Part 35.
  - F. All contracts must be approved by L.C.C.E.D.D., Executive Director, before order to proceed can be given.
  - G. Contractor's proposal must be within twenty percent (20%) of L.C.C.E.D.D. estimate to be approved. In the event that Contractor's proposal is higher than twenty percent (20%) differential, a negotiation process will occur. If the proposal cannot be negotiated, the Contractor will be dismissed and the next Contractor on the list will be contacted.
  - H. Work must be completed within 48 hours of order to proceed.
  - I. Contractor will not be paid until owner is provided with all waivers, warranties, guarantees, etc...
  - J. Contractor must submit a Statement of Satisfactory Completion, signed by the owner, to L.C.C.E.D.D. before payment will be considered.
  - K. Contractor shall guarantee work for one (1) year.

## VII. PAYMENT PROCEDURES

- A. Payment for the rehabilitation work completed will be made via LCCEDD's claim procedure.
  1. No claim will be honored before final inspection by LCCEDD and a final inspection by local code enforcement inspectors, if necessary, and work is determined to be satisfactory.

2. Copies of all waivers, guarantees, warranties and signed completion statement must be presented to LCCEDD before payment will be made.

### **NEIGHBORHOOD PRESERVATION**

- A. County will review any effect on environment or historic preservation and appropriate documentation shall be made part of the environmental review record.
  1. Pursuant to 24 C.F.R. 58.34-8, the Lake County CDBG Emergency Grant Program is exempt from the National Environmental Policy Act and an environmental review.
  2. Pursuant to 24 C.F.R. 58.35-4, the Lake County CDBG Emergency Grant Program is categorically excluded from the National Environmental Policy Act and an environmental review.
  3. As per discussion with Laura Thayer, Historian, Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources on 6-6-85, a list of completed projects submitted from time to time will be approved. This agreement is made because of the emergency nature of this program and involved projects. In the event that we feel that a project is involved with any elements of historic significance, such project will be submitted to the Department of Natural Resources prior to commencement of work.

### **FLOOD INSURANCE**

- A. The use of any funds provided under Federal Regulations 24 CFR Part 570.605 pursuant to Section 201 (d) of Act (42 U.S.C. 4105 (d)) of the National Flood Insurance Program, specifically requires mandatory flood insurance as requirements of Section 102 (a) of said Act (42 U.S.C. 4012 a). No acquisition or new construction shall be allowed with the use of these funds under the regulations or said acts if property is located in a flood plain area. While rehabilitation will not be encouraged in flood plain areas, projects may be approved on a case by case basis when the recipient of assistance protects the property with flood insurance and the agency receives a copy of the recipient's policy.

**EXECUTIVE DIRECTOR'S DISCRETION**

These guidelines may be subject to changes on a case by case basis at the discretion of the Department's Executive Director, if all H.U.D., Federal, state and local regulations are adhered to at all times.